

(Rel 96-11/03 Pub. 603)

FORM 9-6

9-45

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PATENT

Practitioner's Docket No. 12099

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: E.M. Dexheimer

Application No.: 10/036,679 Group No.: 1621

Filed: 12/21/01

Examiner: Rosalynd Ann Keys

For: Polyetherols Produced Using Aluminum Phosphonate Catalysts.

Commissioner for Patents

P.O. Box 1450, Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. § 1.191)

NOTE: An appeal may be based on one rejection in a prior application and one rejection in a continuing application. 62 Fed. Reg. 53,131, at 53,187; 1203 O.G. 63, at 93 (Oct. 10, 1997).

NOTE: There is no requirement for a notice of appeal to: (1) be signed; or (2) identify the appealed claims. 62 Fed. Reg. 53,131, at 53,187; 1203 O.G. 63, at 94 (Oct. 10, 1997).

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed 3/9/04, finally rejecting claims 1-10, 12-20, 22, 23, 25-28, 30-33, 35-37, and 41-45.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of

☒ other than a small entity.☐ a small entity.CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

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☐ deposited with the United States Postal Service in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

37 C.F.R. § 1.8(e)

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37 C.F.R. § 1.10*

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☒ facsimile transmitted to the Patent and Trademark Office, (703) 872-9306Date: 9/9/04

Signature

Fernando A. Borrego

(type or print name of person certifying)

* Only the date of filing (§ 1.8) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (872-9306) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

PAGE 2/4 * RCVD AT 9/9/2004 2:48:36 PM [Eastern Daylight Time] * SVR:USPTO-EFXXF-114 * DHUS:8729306 * CSID:7343246823 * DURATION (mm:ss):01:42"

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